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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,226	07/28/2003	Brad Haerberle	2003P11236US	5321

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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

GORTAYO, DANGELINO N

ART UNIT	PAPER NUMBER
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2168

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/629,226	Applicant(s) HAEBERLE ET AL.	
	Examiner Dangelino N. Gortayo	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/18/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 and 3-23 are pending in this application.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/31/2006 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 3-23 are rejected under 35 U.S.C. 103(a) as being anticipated by Meyer ("Meyer" US Patent 6,159,943) in view of Landau et al. (US Publication 2004/0098400 A1)

As per claim 1, Meyer teaches "A computer implemented method for retrieving information relating to service contracts for a plurality of building sites:" (see Abstract)

providing a web portal comprising a database, and storing information about a plurality of services for a plurality of building sites in said database; (Figure 3 reference 51 and column 4 lines 1-8 and 18-39, wherein a web server contains operational and performance data for various equipments used in a facility management system).

receiving a request from one or more clients to retrieve from said database information about services for an selected individual building site; (column 4 lines 40-54, wherein a user remotely accesses a facility management system)

determining a plurality of services that are implicated by said request; (column 4 line 64 – column 5 line 31 and column 5 lines 61-64, wherein a user accesses the various systems within a facility management system for a single or a plurality of buildings)

and communicating said service information to a client. (column 5 lines 22-50, wherein the web server returns to the user web pages representing facility management information)

Meyer does not teach service contracts for building sites.

Landau teaches service contracts for building sites (paragraphs 0005, 0008, 0053, 0058, wherein data for servicing equipment in various buildings are provided to a service management system).

It would have been obvious at the time of the invention for one of ordinary skill in the art to combine Meyer's facility management system that accepts and responds to client requests for service information with Landau method of providing service contract information for a facility to users. This gives the user the ability to address service

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contracting information when managing systems in a facility. The motivation for doing so would be to save cost and speed up responses to a servicing query for equipment in a linked group of facilities (paragraph 0004).

As per claim 3, Meyer teaches “said information further comprises service contract information about the type of building system a service contract pertains to.” (column 3 line 50 – column 4 line 8).

As per claim 4, Landau teaches “said service contract information further comprises information about the type of equipment covered under the service contract.” (paragraphs 0012 and 0014).

As per claim 5, Meyer teaches “receiving a request from a client for information about the service history for a service contract and communicating said service contract information for a service contract to the client” (column 6 line 64 – column 7 line 6)

As per claim 6, Meyer teaches “receiving a request from a client to provide further information about an individual service activity, and communicating said information about an individual service activity to the client.” (column 5 line 61 – column 6 line 6).

As per claim 7, Meyer teaches “communicating further about the type of system said service contracts pertain to a client.” (column 3 line 61 – column 4 line 7).

As per claim 8, Landau teaches “communicating further information to a client about the type of equipment said service contracts pertain to.” (paragraph 0053).

As per claim 9, Landau teaches “communicating further information about the status of the said service contracts.” (paragraph 0053 and 0080)

As per claim 10, Meyer teaches “communicating information about one or more building sites covered under a service contract to a client.” (column 2 lines 31-36 and column 5 lines 26-34).

As per claim 11, Meyer teaches “receiving a request to retrieve a technical diagram about a piece of equipment covered under a service agreement and transmitting said technical diagram to a client.” (Figure 5 and column 7 lines 17-43)

As per claim 12, Meyer teaches “the type of building system is selected from the group comprising HVAC systems, fire safety systems and mechanical systems” (column 1 lines 11-23)

As per claim 13, Meyer teaches a computer implemented method for retrieving information relating to services for a plurality of building sites: (see Abstract)

providing a web portal comprising a database, and storing information about a plurality of services for a plurality of building sites in said database; (Figure 3 reference 51, column 3 line 50 – column 4 line 8, and column 4 lines 1-8 and 18-39, wherein a web server contains operational and performance data for various equipments used in a facility management system).

receiving a request from one or more clients to retrieve from said database information about services for a selected individual building site for a plurality of different types of building systems; (column 4 lines 40-54, wherein a user remotely accesses a facility management system)

determining one or more services that are implicated by said request; (column 4 line 64 – column 5 line 31 and column 5 lines 61-64, wherein a user accesses the various systems within a facility management system for a single or a plurality of buildings)

and communicating said service information to a client. (column 5 lines 22-50, wherein the web server returns to the user web pages representing facility management information)

Meyer does not teach service contracts for building sites.

Landau teaches service contracts for building sites (paragraphs 0005, 0008, 0053, 0058, wherein data for servicing equipment in various buildings are provided to a service management system).

It would have been obvious at the time of the invention for one of ordinary skill in the art to combine Meyer's facility management system that accepts and responds to client requests for service information with Landau method of providing service contract information for a facility to users. This gives the user the ability to address service contracting information when managing systems in a facility. The motivation for doing so would be to save cost and speed up responses to a servicing query for equipment in a linked group of facilities (paragraph 0004).

As per claim 14, Meyer teaches "receiving a user request to retrieve information about service contracts for an individual building site, and communicating said information about service contracts for an individual building site to a client." (column 5 line 61 – column 6 line 6).

As per claim 15, Landau teaches “said service contract information further comprises information about the type of equipment covered under the service contract.” (paragraphs 0012 and 0014).

As per claim 16, Meyer teaches “receiving a request from a client for information about the service history for a service contract, and communicating said service contract information for a service contract to the client” (column 6 line 64 – column 7 line 6)

As per claim 17, Meyer teaches “receiving a request from a client to provide further information about an individual service activity,” (column 5 line 61 – column 6 line 6).

As per claim 18, Meyer teaches “communicating said service contracts information according to the type of building system the contract pertains to” (column 3 line 61 – column 4 line 7).

As per claim 19, Landau teaches “communicating said service contract information according to the type of equipment said service contracts pertain to.” (paragraph 0053).

As per claim 20, Meyer teaches “communicating said service contract information according to the status of the service contracts.” (paragraph 0053 and 0080)

As per claim 21, Meyer teaches “communicating information about one or more building sites covered under a service contract to a client.” (column 2 lines 31-36 and column 5 lines 26-34).

As per claim 22, Meyer teaches "receiving a request to retrieve a technical diagram about a piece of equipment covered under a service agreement and transmitting said technical diagram to a client." (Figure 5 and column 7 lines 17-43)

As per claim 23, Meyer teaches "the type of building system is selected from the group comprising HVAC systems, fire safety systems and mechanical systems" (column 1 lines 11-23)

Response to Arguments

5. Applicant's arguments with respect to claim 1 and 3-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O'Kane et al. (US Patent 6,366,919 B2)

Miles (US Publication 2002/0111842 A1)

Combs et al. (US Patent 7,058,508 B2)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dangelino N. Gortayo whose telephone number is (571)272-7204. The examiner can normally be reached on M-F 7:30-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Dangelino N. Gortayo
Examiner



Tim T. Vo
SPE



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SUPERVISORY PATENT EXAMINER
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